MITIGATION MONITORING AND REPORTING PLAN
INSTITUTE GOLF COURSE PUD REZONING

This Mitigation Monitoring and Reporting Plan is prepared pursuant to Section 15097 of the CEQA Guidelines. It describes the processes for implementing identified mitigation measures and the persons responsible for implementing and/or overseeing those mitigations. The specific mitigation measures themselves are intended to be the mitigation measures identified in the Final EIR approved by the City Council of the City of Morgan Hill. Any inconsistencies in the scope, scale or design of the mitigation measures themselves should be resolved by adherence to the text of the Final EIR.

It is assumed that a single Mitigation Planting and Grading Plan (MPGP) will be prepared for this site that demonstrates compliance with all physical site modifications required as conditions of project approval. Preparation of that MPGP may be phased at the discretion of the City's Community Development Director. Accompanying documents for the MGPG will include detailed descriptions of ongoing activities, including site maintenance and facility operations. That documentation is referred to as the Mitigation Operations Plan.

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
1	Degradation of runoff and surface water quality Impacts to habitat of downstream species	Install containment dikes around maintenance areas, and construct roofing over any area where the potential for oil, grease and fuel spillage is high. Install oil/grease separators in all catch basins in the parking area drainage system.	Show containment dikes, roof or roofs, and location of all oil/grease separators on Mitigation Planting and Grading Plan. Pay fees for City review, approval, and field verification. Verify design and installation of dikes, roof or roofs, and all oil/grease separators.	Project Proponent CDD	Submit to City by September 21, 2004 Upon application.
2	Degradation of riparian habitat	Post signs near possible or likely access points into the riparian corridor instructing golfers that entry is forbidden. Publish and distribute rules of play that prohibit entering the riparian corridor.	Show sign locations on Mitigation Planting and Grading Plan. Provide copy of rules of play. Pay fees for City review, approval, and field verification. Verify that sign installations are at all likely access points into riparian corridor. Review rules of play for clarity and adequacy.	Project Proponent CDD	Submit to City by September 21, 2004 Upon application

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
3	Loss of Burrowing Owl habitat	Comply with City of Morgan Hill Burrowing Owl Mitigation Plan	Pay fees required by MHBOMP Collect fees	Project Proponent CDD	Prior to issuance of Site Development and Grading Permit Upon application
4	Erosion and siltation from failure of existing earthwork	A geotechnical report will be prepared by a registered civil engineer or certified engineering geologist that verifies the stability of all existing grading/earthwork, except for areas previously documented (*i.e.*, berm along Foothill Avenue and berm along the southern edge of Pond G). If the existing earthwork is not found to be structurally sound and capable of resisting erosion and/or collapse, the grades will be reworked in conformance with an engineered plan.	Submit report prepared by registered civil engineer or certified engineering geologist. Pay fees for City review, approval, and field verification. Obtain grading permit to revise on-site earthwork, if required by report. Approve grading permit as appropriate. Verify that earthwork conforms to engineered report. Complete grading revisions as required by report.	Project Proponent DPW Project Proponent	Submit to City by September 21, 2004 Upon application Complete grading by July 15, 2005
5	Future grading and construction may impact wetlands.	Obtain from the U.S. Army Corps of Engineers, a determination that no jurisdictional wetlands will be impacted by the proposed grading or construction.	Submit USACE determination that no impacts to wetlands would result from proposed grading and/or construction prior to obtaining any grading or building permit. Verify that no wetlands will be impacted	Project Proponent DPW/Building Official	Prior to receiving Site Development and Grading Permit Prior to issuance grading or building permit

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
6	Discharge of water from the lakes to the creek or other drainage would impact water quality	Obtain an NPDES "General Permit for Discharges with Low Threat to Water Quality" from the Central Coast RWQCB for all of the on-site lakes, except where they are designed and operated to assure no discharge. The permit application will include identification of any chemicals added to the lakes for water quality control or other reasons, as provided by Application Requirement 1b (1) in the General Permit. The project proponent shall also comply with all provisions of the General Permit, including monitoring and reporting provisions established by the RWQCB.	Apply for, obtain, and implement and NPDES "General Permit for Discharges with Low Threat to Water Quality" from the Central Coast RWQCB for all of the on-site lakes, except where they are designed and operated to assure no discharge. Submit capacity verification for all lakes to the RWQCB for review and approval. Provide copy of General Permit to City Community Development Director. Review calculations and issue permit where requirements are met. Verify that NPDES general permit has been obtained. In the event that one or more lakes is to be used for complete retention, have an operations plan prepared by a licensed civil engineer. Submit to City of Morgan Hill with fees for review, approval and field verification. Verify that lake capacity and operations plan will avoid spillover impacts to nearby properties. If spillover does not occur, require modifications.	Project Proponent RWQCB CDD Project Proponent DPW	Permit application must be submitted by August 1, 2004, or date that will permit the RWQCB to issue the permit for discharge to occur no later than October 31st. Before October 31st Before October 31st Submit to City by September 21, 2004 Upon submittal

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
7	Golf course construction resulted in removal of ordinance size trees	City Staff will review aerial photographs and other historic documents to estimate the number and size of trees lost. Appropriate on-site locations for new trees will be identified by a qualified botanist or arborist. Mitigation for the removal of non-native, ordinance species could be incorporated into the landscaping plan for the proposed development or they could also be mitigated by planting native trees in the riparian setback area; and Lost native trees greater than six inches in diameter will be replaced at a 5:1 ratio. Planting stock will be collected locally. Planting will be conducted from November to January using small nursery stock. The replacement trees will be planted in an environment suitable for their establishment and growth. These trees will be irrigated and maintained for a period of not less than three years. The mitigation site will be protected from future disturbance and the restoration effort will be monitored for five years, reports of which will be provided to the City.	Retain a certified arborist or licensed landscape architect to recommend on-site locations for new tree plantings and planting locations will be shown on Mitigation Planting and Grading Plan. Pay fees for staff review, approval and field verification. City staff may select certified arborist or licensed landscape architect to evaluate historic documents and to recommend new planting locations. Staff must review and approve tree planting plan before implementation. Trees planted prior to City approval may or may not be considered part of mitigation program. Provide annual update prepared by certified arborist or licensed landscape architect on status of tree growth and health to City. Pay fees for review and field verification. Trees that die during the first five years after planting must be replaced in kind, and their replacement must be reflected in the annual status report. Monitor status and condition of trees.	Project Proponent CDD Project Proponent CDD	Submit estimate prepared by arborist or landscape architect with application for Site Development and Grading Permit Prior to issuance of Site Development and Grading Permit With issuance of Site Development and Grading Permit, and ongoing. Ongoing

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8	The project does not have an acceptable source of potable water.	Implementation of one of the following three measures would reduce the potable water supply impact to a less than significant level: ▪ Apply for and obtain approval for connection to an approved public water system, including the completion of any required environmental review for water system extension; or ▪ Complete a comprehensive investigation and analysis of the hydrogeology and groundwater quality on the site to verify that a supply of domestic water of acceptable quality (per Title 22 Drinking Water Standards) can be provided for the life of the project; or ▪ Modify the project to eliminate the need for provision of a public water supply; a "public water supply" is defined by Title 22 as "... a system for the provision of piped water to the public for human consumption that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year." If the last option is selected, mitigation of the high groundwater-nitrate concentrations will still require that the project proponent supply a safe and suitable drinking water supply that complies with all applicable drinking water quality limits; however, this could be met by the project proponent through the inclusion of a water treatment system or importation of certified potable water that will not necessarily qualify as a "public water system".	Depending on which form of mitigation is selected, provide the following, with fees for review, approval and field verification, to the City of Morgan Hill, as indicated: ▪ Verify that a complete application has been submitted to a public water system by September 10, 2004; or ▪ Results of a domestic water supply analysis to the City Department of Public Works and make application to the State Department of Health Services for review and approval by September 10, 2004; or ▪ A program/plan of how the project has been modified to conform to Title 22 must be provided to the Community Development Director by September 10, 2004. Confirm that the mitigation method has been implemented in conformance with local and state laws and regulations.	Project Proponent CDD	By September 10, 2004 By April 15, 2005

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
9	Irrigation of the site may substantially deplete groundwater resources	Implementation of one of the following measures will reduce water supply impacts to a less than significant level: (1) Reduce the amount of irrigated turf within the golf course to a maximum of approximately 85 to 100 acres of total turf and associated landscaping area, or otherwise reduce the irrigation water demand of the existing golf course by approximately 50 percent. Reduction of the amount of turf will also reduce the fertilizer requirements and the associated groundwater-nitrate impact of the project; or (2) A detailed groundwater investigation can be conducted to refine the mitigation (i.e., reduce on-site water use by approximately 50 percent) as described above. The scope of this investigation will need to include an inventory of existing water wells, pumping rates, water level fluctuations and gradients, aquifer characteristics (e.g., transmissivity and storativity), and recharge rates. From this information, a groundwater budget and hydraulic model shall be developed to estimate the change in groundwater conditions caused by the pumping of groundwater for golf course irrigation. The scope and the results of this investigation shall be subject to review and approval by the Santa Clara Valley Water District. Once the groundwater investigation is complete and approved by the Santa Clara Valley Water District and the City of Morgan Hill, the water usage on the project site can be adjusted based on the results of the investigation (i.e., either increased or decreased). The groundwater investigation	Inform the Director of Community Development of the proposed mitigation method within 30 days of PUD zoning approval. Depending on which form of mitigation is selected, take the indicated action: (1) Show the areas of irrigated turf and/or other landscaping areas to be removed on the Mitigation Planting and Grading Plan. Include a schedule for removal of the turf and landscaping. Provide Plan to City with fees for review, approval, and field verification. (2) Provide a scope for the groundwater investigation prepared by a licensed civil engineer with appropriate expertise in groundwater hydrology to City and to SCVWD. Obtain approval of scope and conduct investigation. After completion of study and acceptance of its results by the City and the SCVWD, adjust water use on site to reflect findings of the study. Study must be complete within six months of approval of the PUD zoning, or water use on site must be reduced by 50 percent. (3) Prepare plan to obtain and use recycled water on the site. Include agreement with recycled water supplier, engineered drawings of water supply lines, and on-site plumbing design to ensure separation of recycled water and potable water, consistent with state law and local health regulations. Another method for reducing water use must be implemented during the time required to	Project Proponent Project Proponent	By August 23, 2004 Complete study or implement alternative mitigation by January 21, 2005

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
		must be completed and approved by the Santa Clara Water District and the City of Morgan Hill within 6 months to avoid interim impacts to the groundwater basin and neighboring properties from the continued excessive use of water on the project site. If the investigation is not completed and approved within 6 months, then water use on the project site must be reduced by approximately 50 percent, as described above; or (3) Subject to further research, the use of recycled water to irrigate the golf course could be implemented.	design, construct, and implement a recycled water alternative. If a recycled water option becomes feasible in the future, it may be substituted for other methods implemented to reduce water use. Monitor the implementation process for the selected mitigation method. Confirm with appropriate oversight agencies (SCVWD, County Health Department, recycled water supplier, City Water Utility, etc.) that implementation is occurring in a timely fashion. If timely implementation appears unlikely, inform project proponent that water use on site must be reduced by 50 percent at the end of six months after approval of the PUD zoning. Obtain well logs from SCVWD to confirm water use. Review scope of mitigation program and approve when acceptable. Review groundwater investigation report, if provided, and consult with City on results. Provide well logs to City for monitoring purposes. The City and/or the Water District may conduct additional monitoring and take corrective action, if necessary, to ensure that no groundwater depletion is occurring.	 CDD SCVWD CDD/SCVWD	 Prior to approval of Site Development and Grading Permit City will consult within 30 days of receiving report Ongoing

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
10	Golf course construction resulted in higher localized peak runoff in the vicinity of main entrance on Foothill Avenue.	Re-design the drainage system for the golf course to reduce the peak runoff flows to levels that are equal to or less than pre-development conditions and prevent uncontrolled runoff onto Foothill Avenue within the frontage area of the project site. This shall require redesign of the on-site drainage system to provide stormwater detention capability for the runoff from the Maintenance drainage area in order to assure that the peak runoff flow from this area of the site does not cause concentrated uncontrolled runoff onto Foothill Avenue. Prepare a revised hydrologic analysis verifying adequate capacity for the relevant sections of the storm drain system, and an updated detention analysis for Lakes A through E.	Provide Grading Plan, showing the redesign of the drainage system as indicated, to the City of Morgan Hill and the SCVWD. The redesign of the on-site drainage system for the project site, including the revised drainage and detention basin analysis, must be reviewed and approved by the Santa Clara Valley Water District and the City of Morgan Hill. Pay fees for review, approval and field verification	Project Proponent	Submit to CDD by August 23, 2004
			Review the drainage plans and consult with the SCVWD. Approve grading permit when appropriate.	CDD/DPW	Require modifications and implementation prior to October 15, 2004
			Revise on-site grades as required by the approved grading permit.	Project Proponent	Complete prior to October 15, 2004
			Verify that revised grading is consistent with approved plan.	DPW	Upon completion
11	Construction and continued use of the golf course has eliminated red-legged frog , California tiger salamander, and Western pond turtle habitat.	Shallow water shelves will be constructed and vegetated with native emergent vegetation around the perimeter of ponds A, B, C, D, E, F and G. Native emergent vegetation shall be established on at least 50 percent of the perimeter of each pond and shall be approximately 5 to 10 feet in width.	Provide Mitigation Planting and Grading Plan that shows vegetated shelves in all seven ponds indicated. Submit plan to City of Morgan Hill with necessary fees for review, approval and field verification. Include proposal for pre-construction inspection and construction monitoring by qualified herpetologist to ensure that no impacts to red-legged frogs occurs.	Project Proponent	Submit to City by September 21, 2004
			Review plans for conformance with identified mitigation measures. Consult	CDD	With approval of Site Development

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			with biologists if necessary. Approve plans and verify that construction is consistent with approved plans. Ensure that on-site monitors are present during construction.		and Grading Permit
			Install vegetated shelves as shown on plans.	Project Proponent	By July 15, 2005
12	Construction and continued use of the golf course has eliminated red-legged frog , California tiger salamander, and Western pond turtle habitat.	Catch basins and other storm drain outlets shall not empty directly into any drainages leading to on-site ponds, but rather, must flow through vegetated buffers, filter strips or swales or other treatment measures deemed by the City to provide equivalent filtration, prior to entering ponds or other waterways. Catch basins and storm drain inlets must be designed with a grid cover with a grid sized to ensure that neither red-legged frogs nor tiger salamanders can fall into the drains.	Prepare Mitigation Planting and Grading Plan that shows location and design of selected treatment measures for all storm drain outlets. Submit plan to City of Morgan Hill with necessary fees for review, approval and field verification.	Project Proponent	Submit application for Site Development and Grading Permit by September 21, 2004
			Review plans for conformance with identified mitigation measures. Consult with water qualify experts, if necessary. Approve plans and verify that construction is consistent with approved plans.	CDD	With approval of Site Development and Grading Permit
			Install treatment systems as shown on plans.	Project Proponent	By July 15, 2005
			Verify maintenance of treatment systems annually.	CDD	Ongoing
13	Ongoing use and maintenance of the golf course will adversely impact the quality of the riparian habitat, especially the high quality riparian	A 25-foot setback from the edge of the existing lower-quality riparian habitat and a 100-foot setback from the edge of the existing higher quality riparian habitat will be established on the project site. The setback area will be established as a riparian buffer planting zone with native trees and shrubs, such as native oaks and willows.	Submit as part of the Mitigation Planting and Grading Plan, a revegetation plan prepared by a qualified restoration ecologist that identifies the precise location of the riparian corridor relative to all on-site improvements, and illustrates all areas of encroachment into the riparian setback, with necessary fees	Project Proponent	Submit application for Site Development and Grading Permit by September 21, 2004

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
	habitat along the upper reaches of Corralitos Creek.	If encroachment within the identified setbacks is allowed by the City, mitigation for the area of each encroachment into the required setback (described below) will be required to offset the impacts to habitat quality that would result from the encroachment. Mitigation for Reduction of Riparian Habitat Setbacks: An area of riparian habitat that is equivalent in size to the area of the encroachment(s) proposed into the setbacks, could be provided at a 1:1 ratio elsewhere along the same drainage on this site. Uses or activities within the encroachment areas within the 100-foot riparian setback will be limited to roughs and fairways to within 25 feet of the edge of the riparian habitat; unmaintained rough could be as close as 15 feet to the edge of the riparian habitat. The tees and greens that are retained in the encroachment area will be mitigated by the re-establishment and protection of riparian habitat at a 2:1 ratio (replacement:impacted) that is within three miles of the encroachment and within the Llagas Creek watershed.	for review, approval and field verification. Supplemental documents submitted must include: (1) an accurate map prepared by a civil engineer with the assistance of a qualified biologist showing the location of the riparian corridor on the site and the setbacks from low and high quality riparian habitat; (2) a landscape plan prepared by a restoration biologist documenting the size and species of all plantings within the setback area, consistent with the criteria identified in the FEIR. Verify accuracy of the site plan and, in consultation with a qualified botanist or restoration biologist, approve or modify the submitted plan. If encroachment into the setback area is allowed by the City, an encroachment mitigation plan will be prepared by a restoration ecologist and will show the exact location of the encroachment and the exact location and type of the replacement habitat to be installed, including any proposed mitigation at off-site locations. The encroachment mitigation plan will be submitted to the City with fees for review, approval, and field verification. Verify accuracy of the site plan and, in consultation with a qualified botanist or restoration biologist, approve or modify the submitted plan.	 CDD Project Proponent CDD	 With issuance of Site Development and Grading Permit Submit application for Site Development and Grading Permit by September 21, 2004 With issuance of Site Development and Grading Permit

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
			Install mitigation habitat at designated locations, consistent with approved plans. Maintain for at least five years. Provide City with annual monitoring report reflecting oversight by a restoration ecologist, verifying that plant materials that have died were replaced with equivalent materials. Annual reports will be accompanied by fees for review, approval, and field verification	Project Proponent	Install prior to July 15, 2005
			Review monitoring reports and verify status of mitigation habitat.	CDD	Ongoing
14	Golf course development removed approximately one-half acre of riparian habitat.	The riparian habitat that was lost due to grading or other development activities within areas of canopy contiguous with riparian habitat will be replaced at a ratio of 3:1. Pre-grading conditions on the site would be determined by City staff through the use of historic aerial photos and other historical documentation of the project site.	Determine pre-grading conditions in consultation with expert consultants as required. Inform Project Proponent of determination.	CDD	By August 23, 2004
			Submit to the City a Mitigation Planting and Grading Plan that includes implementation of riparian habitat replacement, and provision for maintaining the replacement habitat for at least five years. The riparian habitat replacement plan will be prepared by a certified restoration ecologist. The plan will be submitted with necessary fees for review, approval, and field verification.	Project Proponent	Submit application for Site Development and Grading Permit by September 21, 2004
			Review plans for consistency with mitigation requirements. Consult with USFWS and consulting biologists if necessary. Approve plans and verify that construction is consistent with approved plans.	CDD	Ongoing

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
			Install riparian mitigation habitat as shown on approved plan. Maintain for at least five years. Provide City with annual monitoring report reflecting oversight by a restoration ecologist, verifying that plant materials that have died were replaced with equivalent materials. Annual reports will be accompanied by fees for review, approval, and field verification Review monitoring reports and verify status of mitigation habitat.	Project Proponent CDD	Install by July 15, 2005; maintain for five years. Ongoing
15	25.5 acres of serpentine habitat that would have supported a number of special status plant species was eliminated by golf course construction.	Protect at least 51 acres of suitable serpentine habitat by establishment of a conservation easement in perpetuity. The easement may be purchased as part of a larger mitigation bank. As stated in the July 15, 2003 letter from the USFWS, 35 acres of serpentine habitat located in Kirby Canyon is of exceptional quality. If after on-site verification the City of Morgan Hill agrees that due to its exceptional quality the replacement habitat is equivalent to the mitigation requirement of 51 acres of serpentine habitat, then the purchase and protection of the 35 acres in perpetuity will satisfy this mitigation measure.	Provide signed certification by the USFWS that the amount of habitat indicated has been purchased and suitably protected. Submit necessary fees for City review, approval, and field verification. Verify habitat protection and adequacy. Consult with biologist to verify that the habitat satisfies the mitigation requirement.	Project Proponent CDD	By August 23, 2004 Prior to approval of Site Development and Grading Plan

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
16	25.6 acres of red-legged frog habitat was eliminated by golf course construction.	Protect at least 51.2 acres of suitable red-legged frog habitat by establishment of a conservation easement in perpetuity. The easement may be purchased as a part of a larger mitigation bank.	Provide signed certification by the USFWS that the amount of habitat indicated has been purchased and suitably protected. Submit necessary fees for City review, approval, and field verification. Verify habitat protection and adequacy. Consult with biologist to verify that the habitat satisfies the mitigation requirement.	Project Proponent CDD	By August 23, 2004 Prior to approval of Site Development and Grading Plan
17	25.6 acres of red-legged frog habitat, and California Tiger Salamander habitat, was eliminated by golf course construction and ongoing operations.	A non-native predator management plan that operates for the life of the golf course operation will be implemented. The main components of this plan are: 1) a qualified herpetologist previously approved by USFWS will monitor (conduct nocturnal eyeshine surveys) all ponds for bullfrogs and other non-native predators four times per year, and 2) also under the supervision of the herpetologist, draw down any ponds that contain bullfrogs for two to three weeks between October 15 and November 15. The timing of draw down will be phased and done under the supervision of a herpetologist to ensure that red-legged frogs will continue to have available suitable wet areas. This draining of the ponds disrupts the two-year development cycle of the bullfrog and will substantially reduce or eliminate successful reproduction by bullfrogs in this area.	A complete red-legged frog on-site habitat maintenance program will be prepared and implemented by a herpetologist with red-legged frog experience. This program will include appropriate details of the non-native predator management plan. Results of each quarterly survey must be submitted to the USFWS and the City within 30 days of completion. By September 30 of each year, the supervising herpetologist will provide a report to the City on the status of the habitat maintenance program, including identification of any bullfrogs found and the proposed timing for draining the ponds. Submit necessary fees for City review, approval, and field verification. Verify completeness of plan. Consult with USFWS. Review annual reports and verify that ponds are drained. Consult with RWQCB to confirm that NPDES "General Permit for Discharges with Low Threat to Water Quality" was	Project Proponent CDD	Submit by September 21, 2004 and quarterly reports thereafter. Annual reports to be submitted by September 30 of each succeeding year. With issuance of Site Development and Grading Plan and annually thereafter.

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			obtained to permit ponds to be drained. Consult with City on NPDES Permit	 RWQCB	 By September 30, 2004
18	25.6 acres of red-legged frog habitat was eliminated by golf course construction.	Formally consult with the USFWS to obtain a biological opinion that the continued operation of the golf course will not jeopardize the continued existence of the species and then be issued an incidental take permit. This formal consultation can take the form of a Section 7 (via a Federal action) or a Section 10 (Habitat Conservation Plan). Discussions with the USFWS will determine the appropriate vehicle to process this request.	Submit request for formal consultation to USFWS. Inform City of status of consultation and results of the consultation process. Confirm that formal consultation has occurred and that a permit has been issued.	Project Proponent CDD	By August 23, 2004 Prior to issuance of Site Development and Grading Permit
19	Approximately three acres of breeding ponds for California tiger salamander were eliminated by golf course construction.	Mitigation could consist of improvements to on-site conditions in order to provide three acres of breeding habitat the meets the criteria identified in the Final EIR. In order to meet criteria for breeding ponds, sufficient upland aestivation habitat must be provided adjacent to the breeding ponds. Alternatively, a conservation easement for tiger salamanders could be established at a "to-be-determined" location. The final configuration of the easement (at least three acres of ponds) and associated upland aestivation habitat will depend on the final mitigation design, which will be developed in conjunction with the CDFG. This easement will be in perpetuity. A conservation easement may be purchased as a part of a larger mitigation bank. Otherwise, the owner(s) may work with a	Either provide a detailed plan for modifying on-site ponds to meet the criteria for tiger salamander habitat identified in the Final EIR as part of the Mitigation Planting and Grading Plan, or provide signed verification from the CDFG that a conservation easement has been established for California Tiger Salamander. Submit necessary fees for City review, approval, and field verification. In consultation with a qualified herpetologist, verify the adequacy of the mitigation program proposed, including the adequacy of any off-site habitat, consistent with the standards identified in the Final EIR.	Project Proponent CDD	Submit plan or provide verification with application for Site Development and Grading Permit by September 21, 2004 Prior to approval of Site Development and Grading Permit

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		land trust, preferably in the Mt. Hamilton Range Mountains to the east, or the owner(s) could develop their own off-site mitigation easement. Any and all easements must have a legal commitment, be guaranteed management for the purposes of maintaining a California tiger salamander population, and be approved by the CDFG.			
20	Past construction and ongoing operation of the golf course has caused and will continue to cause water quality impacts to water in Corralitos Creek and downstream. This impacts habitat and other beneficial uses within the watershed.	A minimum setback of either (1) 50 feet from the centerline of Corralitos Creek and all tributaries, or (2) 30 feet as measured along the ground surface to the highest anticipated water line of the creek and tributaries as jointly determined by the RWQCB and the City, is necessary to avoid significant impacts to the creek from pollutants in surface runoff. To reduce the water quality setback to a distance that is less than 50 feet from the centerline of the creek channels or 30 feet from the highest anticipated high water line without resulting in an impact, either the areas adjacent to the creek will be graded to flow away from the creek, or the runoff will drain to a collection system and will be filtered prior to entering the creek or ponds. Under no circumstances can the setback from the creek channels be reduced to a distance less than 30 feet from the centerline of the creek except for the fairway of the 6th hole, as described below. The setback from Corralitos Creek within the fairway of the 6th hole may be reduced to 20 feet on the south side of the creek and will adhere to the measures described above for reduced setbacks. The setback from the	Submit a Mitigation Planting and Grading Plan showing the exact location of the minimum setback and the types of vegetation within the setback. The plan will be submitted to the City of Morgan Hill with appropriate fees for review, approval and field verification. Verify location, design and implementation of water quality setbacks. If encroachment into the setback area is proposed, the Mitigation Planting and Grading Plan submitted must show the exact location and type of encroachment within the setback, and will include a design that precludes surface runoff from draining directly into the creek. This may be achieved by one or more of the following: (a) a detailed topographic survey completed by a registered civil engineer or licensed land surveyor that confirms that the existing ground surfaces within the encroachment area drain away from the creek banks; (b) a	Project Proponent CDD Project Proponent	Submit with Site Development and Grading Permit by September 21, 2004 With approval of Site Development and Grading Permit, and after construction Submit with Site Development and Grading Permit by September 21, 2004

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
		north side of the creek on the 6th hole will be at least 70 feet to compensate for the reduced setback along the south side of the creek.	grading plan that demonstrates either that all of the on-site ground surfaces within the encroachment area will be re-graded to achieve the same performance standard as (a), or some combination of the two scenarios (a and b); or (c) runoff from the setback area will drain to a collection system and will be filtered prior to entering the creek or ponds. The plan will be submitted to the City with appropriate fees for review, approval, and field verification. Verify presence, design, and implementation of water quality setbacks from Corralitos Creek and all of its tributaries.	 CDD	 With approval of Site Development and Grading Permit
21	Degradation of runoff and surface water quality Impacts to habitat of downstream species	Monitor the grounds to control litter and other debris that could be washed into the on-site ponds or drainages (*i.e.*, weekly pavement sweeping, immediate oil spill clean-up, etc.).	Include all program measures in the SWPPP prepared for the project site. Include all appropriate measures from the Santa Clara County Non-Point Source Program Best Management Practices. Review and approve SWPPP. Verify that SWPPP has been approved by RWQCB.	Project Proponent RWQCB CDD	Prior to any further grading or construction occurring. Upon receiving complete application Prior to issuance of Site Development and Grading Permit

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
22	Grass clipping allowed to decompose in piles have caused adverse odor impacts to neighboring residents.	Grass clippings collected on the site must be: (1) composted on-site at a location and in a manner to be specifically addressed in the Planned Development Rezoning Permit; or (2) hauled to an off-site recycling facility; or (3) left on the golf course to compost "*in situ*".	If alternative (1) or (2) is selected, show on the Mitigation Planting and Grading Plan where the grass clippings will be either composted or stored for collection prior to transport to an off-site recycling facility. Accompanying documentation in the Mitigation Operations Plan must provide supporting details including either: (1) the compost processing plan (including total quantities, windrow size, frequency of windrow turning, and identification of responsible personnel) or (2) method for storing grass clippings, frequency of collection, and identification of hauling contractor. If option (3) is implemented, inform the Community Development Director, who will inspect the golf course at random intervals to confirm that grass clippings are being left in place. The plan will be submitted to the City with appropriate fees for review, approval, and field verification. Review plan and verify that the method selected is implemented in a fashion that will not create adverse impacts at neighboring properties.	Project Proponent CDD	Submit with application for Site Development and Grading Permit, by September 21, 2004 With approval of Site Development and Grading Permit

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
23	Nighttime use of mechanized equipment, including lawn mowers, is more likely to result in destruction of red-legged frogs.	All mechanized equipment used to maintain the grounds shall only be used during the daylight hours.	Include in the Mitigation Operations Plan submitted with the Mitigation Planting and Grading Plan an on-site maintenance schedule that defines the types of maintenance activities that will occur on the site and when they will occur. The plan will be submitted to the City with appropriate fees for review, approval, and field verification. Review Mitigation Operations Plan submitted with the Mitigation Planting and Grading Plan, and verify that all mechanical equipment that could harm or kill red-legged frogs will never operate at night. Consult with USFWS. Verify operations are consistent with approved plans for at least five years after approval. Maintain site consistent with plan approved by City.	Project Proponent CDD Project Proponent	Submit with application for Site Development and Grading Permit, by September 21, 2004. Implement the ban immediately. With approval of Site Development and Grading Permit After issuance of first permit.
24	Construction and continued use of the golf course has eliminated habitat for red-legged frog, California Tiger Salamander, and western pond turtle.	All ponds or lakes on site will have a buffer around the perimeter of at least 10 feet in width. This buffer will not be mowed or maintained with mechanized equipment, nor will any chemicals or fertilizers be applied to the surface, and it will be designed to absorb and retard surface flow and to act as a filter for the surface flow. The design and implementation of the buffers shall be subject to the approval of the City to ensure that they satisfy these criteria. Fertilizer may be applied if necessary through a below ground drip irrigation system.	Submit a Mitigation Planting and Grading Plan which shows a 10-foot buffer around all of the on-site ponds/lakes. Identify exact design of the buffers, including species of plantings and/or type of mulch used. Include design detail for below-ground drip irrigation system, if proposed. Include maintenance limitations in the Mitigation Operations Plan submitted with the Mitigation Planting and Grading Plan. The plans will be submitted to the City with appropriate fees for review, approval, and field	Project Proponent	Submit with application for Site Development and Grading Permit, by September 21, 2004

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
			verification.		
			Review plans and verify that the performance standards identified for the buffer area in the FEIR are met by the proposed planting and operating plans.	CDD	With approval of Site Development and Grading Permit
			Install buffers that are consistent with those approved by the City.	Project Proponent	After issuance of first permit.
25	Construction and continued use of the golf course has eliminated habitat for red-legged frog, California Tiger Salamander, and western pond turtle.	Monitoring of the on-site populations of red-legged frogs, California Tiger Salamander, and western pond turtle will be done regularly for at least five years after implementation of the measures listed in this Mitigation, Monitoring and Reporting Plan. The results of the monitoring will be submitted to the City, USFWS and CDFG.	Retain a qualified herpetologist to prepare and implement a monitoring program for all three species. The qualifications of the herpetologist must be approved by the City of Morgan Hill Community Development Director. Submit the initial monitoring program with the Mitigation Operations Plan. Provide annual updates consistent with the program. The plan and annual reports will be submitted to the City with appropriate fees for review, approval, and field verification.	Project Proponent	Submit with application for Site Development and Grading Permit, by September 21, 2004
			Review monitoring plan and annual reports to ensure that all measures identified in the FEIR are being implemented and that adequate protection is provided to the three species. Consult with USFWS and CDFG as appropriate.	CDD	With approval of Site Development and Grading Permit.
			Implement monitoring plan as approved.	Project Proponent	Immediately.

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
26	Construction and continued use of the golf course has eliminated habitat for red-legged frog, California Tiger Salamander, and western pond turtle.	Water quality of the on-site ponds and Corralitos Creek will be sampled monthly by qualified personnel and analyzed by a certified water quality laboratory for the duration of the golf course operation to ensure that golf course run-off is not impacting breeding habitat for the California red-legged frog, California Tiger Salamander, and western pond turtle.	As part of the Mitigation Operations Plan, submit a Pond and Creek Water Quality Sampling Program prepared by a qualified water quality engineer or laboratory. The plan will identify who will be responsible for taking the water quality samples, criteria for determining the sampling locations, the chain of custody for the samples, the water quality thresholds that will be used to evaluate the samples, and what actions will be taken (and when) if the thresholds are reached or exceeded. Documentation of sampling program will include exact date and time of sample and weather conditions (*e.g.*, raining). Annual reports of the water quality sampling program will be submitted to the City with payment of appropriate fees for review, approval, and field verification. Review Sampling Program and verify that it is consistent with the intent and standard of the mitigation identified in the FEIR. Review annual water quality reports and consult with appropriate experts if necessary.	Project Proponent CDD	Submit with application for Site Development and Grading Permit, by September 21, 2004 With approval of Site Development and Grading Permit.

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
27	Ongoing use and maintenance of the golf course may contaminate groundwater below the site, on-site drainages, and the downstream reaches of Corralitos Creek, San Martin Creek and Llagas Creek with pesticides and herbicides and fertilizers.	Preparation and implementation of a Chemical Application Management Plan (CHAMP). This plan shall detail the procedures to construct or reconstruct, operate, and maintain the golf course and shall provide public disclosure regarding pesticides, fertilizers and other chemicals used on the golf course, as well as methods of application and handling. The following provisions shall be considered for inclusion in the CHAMP and reasons satisfactory to the City's Community Development Director must be identified for a failure to include any measures: ▪ Drought, pest, and disease resistant grass species shall be selected; ▪ Pesticides shall be handled, applied, and disposed of by a licensed (State-certified) spray technician; ▪ Only approved and legal chemicals shall be used. ▪ All county, state, and federal guidelines must be strictly adhered to regarding storage, handling, and application of pesticides; ▪ Advanced technology/monitoring equipment shall be used to insure minimal application of pesticides, herbicides, and the ability to achieve treatment goals and criteria to minimize off-site movement. ▪ Selection of less toxic, less mobile, and less persistent pesticides shall be a priority management criterion. ▪ Pesticide applications shall be carefully timed and combined with other pest management practices; ▪ Pests shall be accurately identified and pesticide applications made only when	Prepare and submit CHAMP to City of Morgan Hill Community Development Director, SCVWD, and RWQCB. Submit appropriate fees for review, approval and field verification by all three agencies. Review CHAMP and consult with USFWS, SCVWD and RWQCB. The CHAMP shall be subject to review and approval or concurrence by the City of Morgan Hill, the SCVWD, and the Central Coast RWQCB. If the RWQCB accepts regulatory authority for the CHAMP, reports to the City and SCVWD may be informational only. The City will review annual reports and conduct site visits as necessary to confirm that the project is in conformance with the CHAMP. Implement approved CHAMP. Submit annual reports on implementation and results of water quality monitoring to City, SCVWD and RWQCB.	Project Proponent CDD Project Proponent	Submit with application for Site Development and Grading Permit by September 21, 2004 With approval of Site Development and Grading Permit. After issuance of first permit.

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
		necessary, using the least amount required. ▪ Irrigation applications shall be consistent with turf grass evapotranspiration requirements. Over-watering shall be avoided. ▪ No chemical application shall occur directly to any water body or within any of the prescribed setbacks and buffers from any water body. Additionally, the CHAMP shall include a plan and commitment by the golf course owners/operators to provide on-going monitoring of water quality within the stream channels (Corralitos Creek) that flow through the project site and within the on-site lakes that have outfalls to the local drainage channel along Foothill Avenue. A monitoring and reporting program will be established by the RWQCB to enforce this requirement. At a minimum, the water quality sampling shall include monthly sampling of the golf course lakes and stream/drainage channels (above and below the project site) during the rainy season. Sampling shall include nutrients (nitrate and phosphorous) as well as all pesticides used for golf course maintenance. These data shall be reported to the City of Morgan Hill, the Santa Clara Valley Water District, and the Central Coast RWQCB on an annual basis.			

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
28	On-going use and maintenance of the golf course will substantially increase existing nitrogen levels in the groundwater, which could adversely affect nearby drinking water wells, as well as the entire aquifer. Nitrogen loading impacts to downstream surface waters, including Corralitos Creek, San Martin Creek, and Llagas Creek, could also occur.	Prepare a Nitrogen Control Plan (NCP). The NCP can be a component of the Chemical Application Management Plan (CHAMP). The NCP will determine the appropriate nitrogen application rates, based upon site specific soil testing and plant requirements and will account for all nitrogen application rates to the golf course, including fertilizer applications, grass clippings left in place, and nitrogen content of irrigation water. The nitrogen control plan shall include sufficient technical analysis, including monitoring data from the initial operation of the golf course, to demonstrate that the fertilizer and irrigation water applications to the golf course will not exacerbate the existing groundwater-nitrate problems in the project vicinity. Specifically, the nitrate loading from all sources shall be demonstrated to not exceed the estimated nitrate loading that would occur from pre-project conditions (19-41.2 mg/L). Nitrogen fertilizer application rates shall be adjusted to account for the nitrate levels in the groundwater-irrigation supply, based upon and verified through routine monitoring of irrigation waters. At a minimum, the monitoring shall include sampling for nitrate and total kjeldahl nitrogen no less than monthly. Application rates of fertilizers shall be determined based on irrigation rates and site-specific soil conditions and turf requirements. A soil and/or tissue sampling and monitoring program shall be implemented to determine appropriate application rates.	Prepare and submit a Nitrogen Control Plan separately or as part of a CHAMP to the City of Morgan Hill, SCVWD and RWQCB with payment of fees for review, approval and field verification. The NCP shall comply with the recommendations provided by these agencies. Any proposed changes to the fertilizer program shall be submitted to the same three agencies for review and approval, prior to implementation. The irrigation water monitoring program shall be in accordance with requirements established by the SCVWD and the RWQCB, and the tissue sampling will be performed in accordance with recommendations provided by SCVWD. Review plan and consult with RWQCB and SCVWD as appropriate. Verify that conformance with the plan will not result in increased nitrate loading, when compared with pre-project conditions. Approve NCP that meets mitigation standards identified in FEIR. Implement NCP approved by the City.	Project Proponent CDD Project Proponent	Submit with application for Site Development and Grading Permit by September 21, 2004 With approval of Site Development and Grading Permit. After issuance of first permit.

	A	B	C	D	E
	IMPACT	MITIGATION	METHOD OF COMPLIANCE	RESPONSIBLE PARTY‡	TIMING
		The nitrogen fertilizer shall be slow release or less soluble form, whenever possible. Irrigation of the golf course shall be limited to the calculated crop evapotranspiration rate, plus mineral dilution requirement. Local weather conditions will be taken into consideration. Excessive irrigation shall be avoided. This will reduce potential leaching of nitrogen to the subsoil as well as reduce potential surface runoff from irrigation application. The timing of fertilizer application shall coincide with the period of greatest plant uptake and avoid periods of potential rainfall-runoff events. The overall amount of maintained turf shall be reduced, as needed, in order to minimize the total fertilizer requirements. Modify the golf course design as specified previously, including the provision of a buffer along all branches of Corralitos Creek, within which fertilizers will not be applied. Refer to California red-legged frog impact mitigation for more details on the buffer requirements. Modify the design of all sub-drains from tees and greens that discharge to Corralitos Creek to provide a minimum 25-foot vegetated buffer between the outfall point and the creek channel, or a filtration system with treatment equivalent to the 25-foot buffer, as approved by the City. Modify the golf course on Hole #3 to eliminate the turf covering the tributary drainage channel on the north side of Corralitos Creek near Lake G, and reestablish natural channel conditions, maintaining the previously described creek			

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
		buffer (Refer to California red-legged frog impact mitigation). Modify the drainage system and/or golf course design in the northwestern portion of the site to eliminate the flooding of the fairway catch basins. Account for all sources of nitrogen application to the golf course, including fertilizer, grass clippings, and the irrigation water.			
29	Occupancy of the existing restaurant building could result in impacts to human safety.	The existing restaurant building is currently closed and will not be occupied until and unless the structural stability of the building is confirmed by a certified engineer.	Submit verification of the structural stability of the restaurant building that is prepared by a certified engineer with necessary fees for review, approval, and field inspection by the City, prior to occupying the restaurant building. Review, approve and verify building structural stability. Make structural modifications shown on building permit application. Apply for and receive Certificate of Occupancy before any utilization of the structure.	Project Proponent Building Official Project Proponent	Concurrent with application for Site Development and Grading Permit by September 15, 2004 Occupancy Permit Prior to occupancy

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
30	Construction and continued use of the golf course has eliminated red-legged frog, California tiger salamander, and western pond turtle habitat.	If any further grading occurs on-site for any purpose whatsoever, including implementation of required mitigation measures, silt fences, fiber rolls, or other structures will be installed to ensure that run-off from the operations does not flow directly into the on-site or downstream breeding areas. Any erosion control material must not contain plastic netting for any purpose.	A grading plan for any and all future grading will identify the specific measures that will be used to preclude contamination from grading from impacting any pond or creek segment. The plan will be submitted to the City with fees for review, approval and field verification. Verify adequacy and implementation of the plan.	Project Proponent DPW	Submit by September 21, 2004 Prior to issuance of any grading, demolition, or construction permits.
31	Construction and continued use of the golf course degraded riparian habitat.	Lighting within the riparian setback areas will not be allowed. All lighting on the site will be designed, sited and shielded to minimize light and glare impacts to wildlife within the riparian corridor.	Prepare and implement a lighting plan that addresses the mitigation standard. Submit the plan to the City of Morgan Hill Community Development Director with the necessary fees for review, approval and field verification. Verify adequacy and implementation of plan.	Project Proponent CDD	Submit with application for Site Development and Grading Permit by September 21, 2004 With approval of Site Development and Grading Permit.
32	Future construction on the project site could disturb nesting raptors, which could result in the loss of eggs, young or the reproductive effort.	Demolition and/or construction will be scheduled to avoid the nesting season (January through August) to the extent feasible. If it is not possible to schedule demolition and construction between August and January, then preconstruction surveys for nesting raptors will be conducted by a qualified ornithologist or wildlife biologist to ensure that no raptor nests will be	All future applications for grading, demolition, and construction plans will include provision for this mitigation measure, which will be submitted to the City of Morgan Hill Community Development Director with necessary fees for review, approval, and field verification.	Project Proponent	Submit with application for Site Development and Grading Permit by September 21, 2004 and prior to any future grading, demolition or construction.

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
		disturbed during construction. This survey will be conducted no more than 14 days prior to the initiation of demolition/ construction activities during the early part of the breeding season (January through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). If an active raptor nest is found close enough to the construction/ demolition area to be disturbed by these activities, the ornithologist, in consultation with CDFG, will determine the extent of a construction-free buffer zone to be established around the nest.	Verify the consistency of plans submitted to the City with this mitigation measure.	CDD	With approval of Site Development & Grading Permit and Ongoing
33	The renovation and/or use of the existing restaurant building or other buildings on the site could disturb nesting swallows, which could result in the loss of eggs, young or the reproductive effort.	Avoid nesting season (February 15th and September 1st) construction, if possible. If it is not possible to avoid construction during the nesting season, remove all old nests in areas that would be disrupted by the proposed work before February 15th. Once the birds return, removal must be repeated at a frequency necessary to prevent nest completion until project construction is complete. Preconstruction surveys for nesting swallows will be conducted within 48 hours prior to the start of any construction, demolition, or renovation to ensure that swallows are not utilizing areas to be disturbed.	All future applications for grading, demolition and construction will include provision for on-site surveys by a qualified ornithologist , the results of which will be submitted to the City of Morgan Hill Community Development Director with necessary fees for review, approval, and field verification. Ongoing removal of nests will be supervised by the ornithologist, who will verify to the City at least monthly during construction that no destruction of birds or eggs has occurred. Review the submitted reports, confirm with field inspections as necessary during construction.	Project Proponent CDD	After issuance of Site Development and Grading Permit, but Prior to beginning grading, demolition, or construction Ongoing

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
34	The renovation and/or use of the existing restaurant building or the removal of large trees on the site may disturb or destroy roosting pallid and/or Townsend big-eared bats.	A predemolition/preconstruction survey for roosting bats will be conducted by a qualified bat biologist three to 15 days prior to any demolition or renovation of buildings, particularly those with closed areas such as an attic space, or the removal of trees 12 inches in diameter at four and one-half feet above grade. No activities that would result in disturbance to active roosts would proceed prior to the completed surveys. If no active roosts are found, then no further action would be warranted. If a maternity roost is present, a qualified bat biologist would determine the extent of construction-free zones necessary around active nurseries. If either a maternity roost or hibernacula is present, the following mitigation measures will be implemented and CDFG would also be notified of any active nurseries within the construction zone: ▪ If active maternity roosts or hibernacula are found, the project would be redesigned, if possible, to avoid the disturbance of the building or tree occupied by the roost. ▪ If an active maternity roost is located and the project cannot be redesigned to avoid disturbing the occupied tree or structure, construction activities would commence either before maternity colonies form (i.e., prior to March 1st) or after young are volant (i.e., after July 31st). The disturbance-free buffer zones necessary around a maternity roost, as determined by a qualified bat biologist in consultation with the CDFG, will be observed during the maternity roost season (March 1st - July 31st).	All future applications for grading, demolition and construction will include provision for on-site surveys by a qualified bat biologist , the results of which will be submitted to the City of Morgan Hill Community Development Director with necessary fees for review, approval, and field verification. Included with the plans will be either: (1) verification that any structures affected have been inspected by a qualified bat biologist who found no evidence of use by bats, or (2) a permit from the CDFG. Issue permit for bat removal/relocation as appropriate, or require delay until relocation/removal can safely occur. Review the submitted reports, confirm with field inspections as necessary. Confer with CDFG to confirm MOU and permit issuance, if appropriate.	Project Proponent CDFG CDD	Prior to issuance of any grading, demolition, or construction permits for any activities that would impact buildings or trees. Prior to disturbing bat colonies or roosting bats. Ongoing

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
		▪ If a non-breeding bat hibernacula is found in a structure or tree scheduled to be razed, the individuals will be safely evicted, under the direction of a qualified bat biologist (as determined by a Memorandum of Understanding with CDFG), by opening the roosting area to allow airflow through the cavity. Demolition will then follow no later than the following day (i.e., there shall be no less than one night between initial disturbance for airflow and the demolition). This action will allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. ▪ Trees with roosts that need to be removed would first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours.			
35	The water supply may not be sufficient to serve proposed headquarters of the American Institute of Mathematics, which may result in property loss or a hazard to human life.	Augment existing water storage facilities on the project site (e.g., construct a water tank) to meet the fire protection water supply requirements as determined by the Fire Chief. The required amount of water storage will be a function of building size and construction type.	Provide specific design plans and supporting calculations that proposed fire protection systems and water storage facilities will meet fire water supply requirements as determined by the Fire Chief Verify that plans were approved by the Fire Chief prior to issuance of any permits to modify or replace existing structure(s).	Project Proponent Building Official	Prior to issuance of a building permit for new structure or substantial remodel/expansion With issuance of building permit.

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
36	Future grading and ongoing operation of the existing on-site drainage system may increase soil erosion on the site.	The project proponent must apply for and obtain the applicable state permits under the National Pollutant Discharge Elimination System (NPDES) and Storm Water Pollution Prevention Plan (SWPPP), as required by the State Water Resources Control Board for any grading for any purpose, including implementation of required mitigation measures. The project proponent shall prepare an Erosion Control Plan (ECP) that includes all applicable elements of the SWPPP, and which will be submitted to the City of Morgan Hill and the Central Coast RWQCB. Erosion control measures shall be established in conformance with the City of Morgan Hill Grading Ordinance, RWQCB regulations, and local guidelines for non-point source runoff Best Management Practices for construction. The Erosion Control Plan shall include the following measures: ▪ Use of fiber rolls and temporary sedimentation basins to retain sediment on the project site; ▪ Protecting all finished graded slopes from erosion through revegetation, drainage diversion, and other appropriate methods; Hydrology and Water Quality Continued Protecting any downstream storm drainage inlets from sedimentation; and ▪ No construction activity that includes grading, soil movement or excavation, or which could result in any soil erosion shall occur during the winter rainy season (October 15th to April 15th), without written	Prepare and submit SWPPP and ECP and supporting documents and revised plans necessary to meet the standards identified in the mitigation measure to the RWQCB and the City of Morgan Hill with appropriate fees for review, approval, and field verification. Issue NPDES Permit Review and verify RWQCB concurrence or approval prior to issuance of any grading or building permits or approval of plans submitted. Inspect project site during and after the construction period to ensure that the erosion control techniques are installed and are performing as designed, especially after major winter storm events. Install erosion control features identified in ECP. Maintain site during grading as required by grading permit and ECP. After completion of grading, revegetate as shown on ECP and Mitigation Planting and Grading Plan. Removal of sediment from natural creek channels should be accomplished during the dry season. Any activity in the natural creek channels may require a permit or waiver from the RWQCB,	Project Proponent RWQCB DPW and Building Official Project Proponent	Prior to any further grading or construction occurring. Upon receiving complete application Prior to issuance of Site Development and Grading Permit With first permit issuance, during, and after construction.

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	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
		approval from the City Engineer for the City of Morgan Hill. During construction, the roadside drainage ditches and stream channels that border and run through the project site shall be inspected for accumulated sediment. The project proponent shall be responsible for the clearing of accumulated debris and sediment within these channels prior to each winter rain. Following construction, a program shall be established for insuring maintenance of culverts, drain inlets, energy dissipaters, etc., and for erosion control during maintenance grading activities in conformance with the Santa Clara County Grading Ordinance, RWQCB regulations, and Non-Point Source Program Best Management Practices.	which must be obtained prior to work occurring.		
37	The proposed project may result in significant short-term noise impacts during any future construction.	The following measures have been identified to mitigate temporary noise impacts to a less than significant level: ▪ Per the City of Morgan Hill Noise Ordinance, noise-generating construction activities are prohibited other than between the hours of 7:00 AM to 8:00 PM, Monday through Friday, and between the hours of 9:00 AM and 6:00 PM on Saturday. ▪ Construction activities may not occur on	Implement all measures necessary to conform to the City of Morgan Hill Noise Ordinance, and inclusion of other noise suppression measures as required by this mitigation measure in the FEIR. Verify that construction includes implementation of all measures required by this mitigation measure in the FEIR	Project Proponent CDD	Prior to issuance of any grading or building permits. During construction.

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
		Sundays or federal holidays. ▪ Construction operations will use available noise suppression devices and techniques, and equipment will be properly muffled and maintained.			
38	The existing structures on the project site may contain ACMs or lead based paint. Demolition or remodeling may release air-borne asbestos and/or lead dust, causing a significant impact to workers or other persons in the area.	Prior to obtaining a building permit for any future renovation or demolition of existing buildings on the project site, verification that the buildings were inspected for lead based paint and asbestos containing materials (ACMs) will be required by the City of Morgan Hill during the building permit process. If any of these contaminants are found, they would be removed in accordance with OSHA and the Department of Toxic Substances (DTSC) standards.	Inspect for lead based paint and ACMs prior to renovation or demolition of existing buildings on the project site. Provide results of surveys to Building Office concurrent with application for first building or demolition permit. Verify that any and all buildings to be demolished or modified were inspected for lead based paint and ACMs. Review removal and disposal plans, including verification of contractor's qualification where required by law.	Project Proponent Building Official	Prior to renovation or demolition of existing buildings on the project site. With issuance of building or demolition permit.
39	Construction of any remaining components of the proposed project could result in significant short term air quality impacts associated with dust generation.	The following construction practices would reduce construction related air quality impacts to a less than significant level: ▪ Dust-proof chutes would be used for loading construction debris onto trucks. ▪ Watering would be used to control dust generation during demolition of structures and break-up of pavement. ▪ Cover all trucks hauling demolition debris from the site. ▪ Water all active construction areas at least twice daily or use non-toxic soil binders.. Water use should be in quantities to not generate runoff. ▪ Water, cover, or use soil binders on stockpiles of debris, soil, sand or other materials that can be blown by the wind.	Prepare construction and grading plans. Require contractor(s) to implement BAAQMD construction measures. Verify BAAQMD measures are reflected in permit applications and are implemented during construction.	Project Proponent Building Official/DPW	Prior to issuance of any permits. Prior to issuance of any permits and during all grading and construction

	A	B	C	D	E
	IMPACT	**MITIGATION**	**METHOD OF COMPLIANCE**	**RESPONSIBLE PARTY‡**	**TIMING**
		■ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. ■ Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at construction sites. ■ Sweep daily (preferably with water sweepers) all paved access road, parking areas and staging areas at construction sites. Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets. Water application by sweepers should not result in runoff. ■ Hydroseed or apply non-toxic soil stabilizers to inactive construction areas. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.). ■ Install sandbags or other erosion control measures to prevent silt runoff to public roadways. ■ Replant vegetation in disturbed areas as quickly as possible.			
40	‡The following are included in this column: CDD Community Development Director, City of Morgan Hill DPW Director of Public Works, City of Morgan Hill RWQCB Central Coast Regional Water Quality Control Board SCVWD Santa Clara Valley Water District USFWS United States Fish and Wildlife Service USACE United States Army Corps of Engineers CDFG California Department of Fish and Game				